



UNITED STATES PATENT AND TRADEMARK OFFICE

#6 3-26-03
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,042 ✓	12/20/2000 ✓	Henry Moncrieff O'Connor	MONTY-1 ✓	4800

23599 7590 03/26/2003

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

EXAMINER

WALLACE, SCOTT A

ART UNIT	PAPER NUMBER
----------	--------------

2671

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

CASE _____
ACTION Response/drawings due
DUE DATE 6/26/03
drawings rmdr. 5/26/03 *OPV*

CASE _____
ACTION _____
DUE DATE _____

SKF-D
4/1/03
ADH

Office Action Summary

Application No.

09/740,042

Applicant(s)

O'CONNOR, HENRY MONCRIEF

Examiner

Scott Wallace

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 4 and 5 is/are rejected.
- 7) ☒ Claim(s) 2-3 and 6-17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the display of signals while superimposed with respect to one another and a plot of only the endpoints must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1 and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider, U.S. Patent No. 4,058,826 in view of Bush, U.S. Patent No. 4,97,514 in further in view of Mark Jr., U.S. Patent No. 4,631,533.
4. As per claim 1, Schneider discloses a method of displaying signals obtained from monitoring a phenomenon (column 1 lines 35-45), comprising: while the phenomenon is being monitored producing multiple real signals in electronic form (column 1 lines 23-45), the multiple real signals each having a standard characteristic and real parameters of different real values (column 1 lines 23-45). However, Schneider does not specifically disclose assigning a separate visual distinction to at least several of the multiple signals to produce multiple visually distinct signals. This is disclosed in Mark Jr. in column 4 lines 50-55. It would have been obvious to one of ordinary skill in the art at the time the invention was made to

use the visually distinct signals of Mark Jr. with the system of Schneider because this would make identifying the signals easier (column 4 lines 50-55). Schneider also does not specifically disclose displaying the multiple distinct signals while superimposed with respect to one another. This is disclosed in Bush in column 4 lines 64-68 and column 5 lines 1-5. It would have been obvious to one of ordinary skill in the art at the time the invention was made to superimpose the waveforms as in Bush with the systems of Schneider and Mark Jr. because this enhanced the visual comparability of transitions between the waveforms.

5. As per claim 4, Schneider discloses wherein the real signals are analog signals (column 1 lines 5-11). Converting the real analog signals to digital signals prior to assigning a separate visual distinction to each signal is disclosed in claim 3 as seen above.

6. As per claim 5, Bush discloses wherein the signals have different DC components, the method further comprising centering the signal by bringing the signal to a standard baseline (column 4 lines 64-68 and column 5 lines 1-5).

Allowable Subject Matter

7. Claims 2-3 and 6-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Scott Wallace** whose telephone number is **703-605-5163**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mark Zimmerman**, can be reached at 703-305-9798.

Any response to this action should be mailed to:

Art Unit: 2671

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA,
Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be
directed to the Technology Center 2600 Customer Service Office whose telephone number is
(703) 306-0377.



MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600